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Before the
Federal Communications Commission
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Amendment of Section 2.106 of the)	ET Docket No. 95-18
Commission's Rules to Allocate)	RM-7927
Spectrum at 2 Ghz for Use by the)	PP-28
Mobile-Satellite Service)	

Opposition to Petition for Partial Reconsideration

ALLTEL Communications, Inc.¹ ("ALLTEL") hereby submits its opposition to the petition for partial reconsideration submitted in the above-captioned matter by the MSS Coalition (the "Coalition"). The Coalition seeks reconsideration of the Commission's decision to require MSS licensees to bear the expense associated with the relocation of microwave incumbents in the frequency bands recently allocated to MSS.² ALLTEL is a provider of cellular services largely in rural areas across the southeast and utilizes essential microwave facilities operating in certain of the bands reallocated to MSS for the purpose of interconnecting cells sites within the system and to the system's MTSO. Given the concerns raised by similarly situated cellular licensees that relocation costs may escalate

¹ ALLTEL Communications, Inc. is the corporate entity through which various ALLTEL Corporation subsidiaries and affiliates market their competitive services including wireless mobile services. The various ALLTEL companies which serve as FCC licensees remain in existence.

² First Report and Order and Further Notice of Proposed Rule Making in ET Docket No. 95-18, FCC 97-93 (released March 14, 1997) (the "Order")

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due to the differing technical characteristics between the 2 Ghz microwave band and higher bands to which microwave incumbents may be relocated,³ ALLTEL believes the Commission's decision should remain intact, particularly in the face of a number of still to be established technical parameters.⁴

The Coalition argues, among other things, that the Commission's decision to impose relocation costs on MSS operators was premature and that the Commission should defer its decision regarding relocation expenses until it has determined the precise spectrum needs of the BAS licensees and the potential for downlink sharing.⁵ At its essence, the Coalition's proposal is simply an exercise in temporary burden shifting; it would rather be out from under the relocation requirement until fully justified by the resolution of the outstanding technical issues. ALLTEL, however, believes the interest of incumbent users justifies the Commission approach to place the initial burden on the MSS operators until the resolution of the technical issues becomes clear enough to fully justify an alternative approach.

Ultimately, the Commission's actions are fully consistent with its previous actions under the Emerging Technologies orders.⁶ Despite the exaggerated claims as to the

³ See for example, *Petition for Reconsideration of SouthWestern Bell Wireless and Southwestern Bell Mobile System, Inc.* in ET 95-18 at page 3.

⁴ For example, the Order did not establish any technical parameters for MSS service and technical standards for sharing have yet to be established.

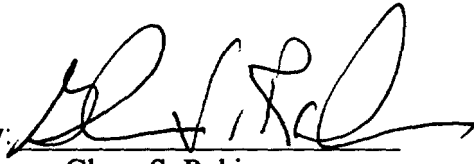
⁵ Coalition petition at page 25.

⁶ See, In re Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies, ET Docket No.92-9; First Report and Order and Second Notice of Proposed Rule Making, (FCC 92-437), 7 FCC Rcd. 6886 (1992); Second Report and Order, FCC 93-350, 8 FCC Rcd 6495 (1993); Third Report and Order and Memorandum Opinion and Order, FCC 93-351, 8 FCC Rcd 6589 (1993); Memorandum Opinion and Order, FCC 94-60, 9 FCC Rcd 1943 (1994); Second Memorandum Opinion and Order, FCC 94-303, 9 FCC Rcd. 7797 (1994).

expense of relocating microwave incumbents, the coalition has failed to offer a sufficient justification for any departure from the Emerging Technologies precedent. While the PCS experience cited by the Coalition may be different,⁷ the MSS situation is far more onerous from an incumbents perspective, particularly with respect to possible sharing. Incumbents need to be relocated prior to the time they experience interference from the MSS' nationwide footprint. The Commission should stay the course and retain its current relocation process.

Respectfully submitted,

ALLTEL Communications, Inc.

By: 
Glenn S. Rabin
Federal Regulatory Counsel

ALLTEL Corporate Services, Inc.
655 15th Street, N.W.
Suite 220
Washington, D.C. 20007
(202) 783-3976

June 19, 1997

⁷ Coalition petition at page 28.

Certificate of Service

I, Glenn S. Rabin, hereby certify that I have on this 19th day of June, 1997 caused copies of the foregoing "Opposition to Partial Petition for Reconsideration" to be sent, via first class U.S.Mail, postage prepaid, to the following:

Kenneth L. Judd
Southwestern Bell Wireless, Inc.
Southwestern Bell Mobile Systems, Inc.
17330 Preston Road
Suite 100A
Dallas, Texas 75252

Richard DalBello
ICO Global Communications
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, D.C. 20006

Cheryl A Tritt
Morrison & Foerster, LLP
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, D.C. 20006

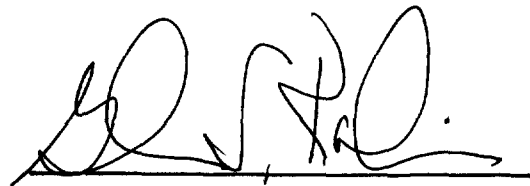
Nancy J. Thompson
Comsat Corporation
6560 Rock Spring Drive
Bethesda, Maryland 20817

Philip V. Permut
Kelly Drye & Warren, LLP
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036

Lon C. Levin
Personal Communications Satellite Corporation
10802 Parkridge Boulevard
Reston, Va. 22091

Antoinette Cook Bush
Skadden Arps
1440 New York Avenue, N.W.
Washington, D.C. 20005

John P. Janka
Latham and Watkins
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, D.C. 20024

A handwritten signature in black ink, appearing to be "J. P. Janka", written over a horizontal line.